

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:CR-01-248
	:	
V.	:	(Judge Caldwell)
	:	
DARYL LONARD PARKER	:	(ELECTRONICALLY FILED)

UNOPPOSED MOTION TO POSTPONE 2255 HEARING

AND NOW, comes the government through Christy H. Fawcett, Assistant U.S. Attorney, and files the within Unopposed Motion to Postpone 2255 Hearing:

1. The defendant was convicted of various drug offenses on August 22, 2002, and his conviction and judgement of sentence were affirmed by the Third Circuit Court of Appeals.

2. The defendant has filed a Section 2255 motion and the Court has set a hearing on that motion for June 5, 2008.

3. The defendant's motion, in part, alleges that trial counsel William Fetterhoff, Esquire, was ineffective. Accordingly, Attorney Fetterhoff is a necessary witness.

4. Attorney Fetterhoff has a pre-planned, out-of-town vacation between May 31 and June 23, 2008.

5. Undersigned counsel has communicated with Fritz Ulrich, counsel for the defendant, who stated he has not had the opportunity to discuss the motion with his client since being assigned as counsel, but personally does not oppose the government's motion.

**WHEREFORE**, the government requests the Court to enter an Order postponing the hearing on the defendant's Section 2255 motion until a date subsequent to June 23, 2008.

Respectfully submitted,

MARTIN C. CARLSON  
Acting United States Attorney

s/Christy H. Fawcett  
CHRISTY H. FAWCETT  
Assistant U.S. Attorney  
PA35067  
Christy.Fawcett@usdoj.gov

228 Walnut Street, Suite 220  
P.O. Box 11754  
Harrisburg, PA 17108  
Phone: (717) 221-4482  
Fax: (717) 221-4493

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:CR-01-248
	:	
V.	:	(Judge Caldwell)
	:	
DARYL LONARD PARKER	:	(ELECTRONICALLY FILED)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 6th day of May 2008, she served a copy of the attached

**UNOPPOSED MOTION TO POSTPONE 2255 HEARING**

by electronic means to the email address set forth below.

**Federal Public Defender - Harrisburg**  
susan\_jefferys@fd.org

Fritz Ulrich, Esquire  
fritz\_ulrich@fd.org

s/Christina L. Garber  
CHRISTINA L. GARBER  
Legal Assistant